

EXHIBIT

21

THE
LAWS OF WISCONSIN,

EXCEPT CITY CHARTERS AND THEIR AMENDMENTS,

PASSED AT THE

BIENNIAL SESSION OF THE LEGISLATURE OF 1883,

TOGETHER WITH

JOINT RESOLUTIONS AND MEMORIALS.

VOLUME I.

PUBLISHED BY AUTHORITY.

MADISON, WIS.,
DEMOCRAT PRINTING CO., STATE PRINTERS.
1883.

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[No. 5, S.]

[Published April 7, 1883.]

CHAPTER 329.

AN ACT to prohibit the use and sale of pistols and revolvers.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*Relating to
the sale of
pistols.

SECTION 1. It shall be unlawful for any minor, within this state, to go armed with any pistol or revolver, and it shall be the duty of all sheriffs, constables, or other public police officers, to take from any minor, any pistol or revolver, found in his possession.

SECTION 2. It shall be unlawful for any dealer in pistols or revolvers, or any other person, to sell, loan, or give any pistol or revolver to any minor in this state.

SECTION 3. It shall be unlawful for any person in a state of intoxication, to go armed with any pistol or revolver. Any person violating the provisions of this act, shall be punished by imprisonment in the county jail not exceeding six months, or by fine not exceeding one hundred dollars (\$100).

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1883.

[No. 38, S.]

[Published April 13, 1883.]

CHAPTER 330.

AN ACT to provide for the punishment of attempts to commit felonies or other crimes, and amendatory of section 4385, revised statutes.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*Relating to
punishment for
attempt to com-
mit felonies
and other
crimes.

SECTION 1. Section 4385 of the revised statutes, is hereby amended so as to read as follows; Section 4385. Any person who shall assault another with intent to commit any burglary, robbery, rape or mayhem, or who shall advise or attempt to commit any arson, or any other felony, that shall fail in being committed, the punishment for which such assault, advice or attempt is not herein prescribed, shall be punished by imprisonment in the state prison not more than three years nor less than one year, or by fine, not exceeding one

Kan
132
897

Kansas. Laws, statutes, &c. Compilations

GENERAL STATUTES

151

OF THE

26

STATE OF KANSAS.

1897.

c

CONTAINING ALL LAWS OF A GENERAL NATURE,
FROM THE ADMISSION OF THE STATE IN 1861 TO THE EIGHTH DAY OF MAY 1897.

TO WHICH THE
DECLARATION OF INDEPENDENCE, CONSTITUTION OF THE UNITED STATES,
THE ORGANIC ACT, AND CONSTITUTION OF THE STATE
ARE PREFIXED.

COMPILED AND ANNOTATED BY
W. C. WEBB OF TOPEKA,
EX-JUDGE OF THE ELEVENTH JUDICIAL DISTRICT,
AND EX-JUDGE OF THE SUPERIOR COURT OF SHAWNEE COUNTY.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

IN TWO VOLUMES.

VOLUME 2.

TOPEKA, KANSAS:
W. C. WEBB, PUBLISHER.
1897.

CHAPTER XII.

ARMS.—PREVENT CARRYING OF.

AN ACT to prevent the carrying of Deadly Weapons.

Be it enacted by the Legislature of the State of Kansas:

SECTION 1. Any person who is not engaged in any legitimate business, any person under the influence of intoxicating drink, and any person who has ever borne arms against the Government of the United States, who shall be found within the limits of this State, carrying on his person a pistol, bowie-knife, dirk or other deadly weapon, shall be subject to arrest upon charge of misdemeanor; and upon conviction shall be fined in a sum not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding three months, or both, at the discretion of the court.

Conviction
for carrying
deadly weap-
ons.

SEC. 2. Justices of the Peace shall have original jurisdiction of all cases arising under this Act, and on complaint being made, shall proceed to hear and determine the same in a summary manner, and shall have full authority to enforce both fine and imprisonment as provided in this Act, *Provided*, that nothing in this Act shall conflict with the ordinance of any incorporated city of the State.

Complaint
made before
Justice of the
Peace.

SEC. 3. In all cases arising under this Act, the accused shall be entitled to a jury of six men, possessing the qualifications of electors, who, if they find the defendant guilty, shall assess the fine to be paid by him, and fix the term of his imprisonment; and if convicted, may appeal to the District Court of the proper county as in other cases provided by law.

Fine to be
assessed.

SEC. 4. This Act to take effect and be in force from and after its publication.

Approved, February 23d, 1867.

S. J. CRAWFORD,
Governor.

§ 312. The board of county commissioners shall make such regulations for the working of vagrants as will keep them as nearly as possible in constant employment.

The operating and carrying on of a lottery is included under the words "engaged in any unlawful calling," as used in § 311 of the crimes act; In re Smith, 54 K. 702.

CARRYING DEADLY WEAPONS.

§ 313. Any person who is not engaged in any legitimate business, any person under the influence of intoxicating drink, and any person who has ever borne arms against the government of the United States, who shall be found within the limits of this state carrying on his person a pistol, bowie-knife, dirk, or other deadly weapon, shall be subject to arrest upon charge of misdemeanor, and upon conviction shall be fined in a sum not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding three months, or both, at the discretion of the court.

PUBLIC DRUNKENNESS—LIMITATION.

CHAPTER 104, LAWS OF 1883.

§ 314. If any person shall be drunk in any highway, street, or in any public place or building, or if any person shall be drunk in his own house or any private building or place disturbing his family or others, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding twenty-five dollars, or by imprisonment in the county jail for a period not exceeding thirty days.

§ 315. Prosecution under this act must be commenced within thirty days after the said misdemeanor is alleged to have been committed.

Where a person is charged with the offense of being drunk in a public place, the defendant may show as a part of his defense that he became intoxicated through an honest mistake of fact; *The State v. Brown*, 38 K. 390.

That a regent of the university is and during his term of office has been addicted to the excessive use of intoxicating liquors, and his conduct and example detrimental to the best interests of the university, is sufficient cause for his removal from office; *Rogers v. Morrill*, 55 K. 737.

ARTICLE 8.—RIOTS, AND OTHER OFFENSES AGAINST THE PUBLIC PEACE.

§ 316. If three or more persons shall assemble together with intent to do any unlawful act with force and violence against the person or property of another, or to do any unlawful act against the peace, or being lawfully assembled shall agree with each other to do any unlawful act aforesaid [and] shall make any movement or preparation therefor, the persons [and each of them] so offending on conviction thereof shall be fined in the sum not exceeding two hundred dollars.

§ 317. When three or more persons shall be assembled as aforesaid and proceed to commit any of the offenses in the preceding section mentioned, it shall be the duty of any judge, justice of the peace, sheriff, constable, marshal or other peace officer, immediately upon actual view, or as soon as may be on information, to make proclamation in the hearing of such offenders, commanding them in the name of the state of Kansas to disperse and to depart to their several homes or lawful employments; and if upon such proclamation such persons shall not disperse and depart

312—§ 281 ch. 31, Gen. Stat. 1883.

313—§ 282, same.

316—§ 288, same.

317—§ 289, same.